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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,280	08/13/2001	Carrie Brownhill	30GF9094	4830

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EXAMINER
NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>7/25/05-8/18/05</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8-10* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims **1-6 and 8-10** are presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

08/18/05 has been entered.

Response to Arguments

3.   Applicant's arguments filed July 25, 2005 have been fully considered but they are

not persuasive because of the following reasons:

4.   Applicant argues neither Diefes nor Logue discloses or suggest a second

memory that stores service-portal data specific to said ACM or to a remote network

server that stores data relating to the type of said ACM. In response to applicant's

argument, the Patent Office maintains the rejection because Logue does teach the

feature of a second memory operably connected to said second CPU for storing a

service-portal database (figure 4, elements 461, 465, 425) containing a first set of

service-portal data specific to said ACM and one or more links to a second set of

service-portal data relating to the type of said ACM stored in a remote network server as

shown in figure 4, elements 461, 465, 425, 480, col. 5, lines 5-col. 6, lines 67, col. 8, line 60-col. 9, line 52.

5.   As a result, cited prior art does disclose a service-portal enabled automation control module (ACM), as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claim 1. Claims 2-6 and 8-10 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action below Accordingly,. claims 1-6 and 8-10 are rejected.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1, 3-4, 6, and 8-10 are rejected under 35 U.S.C. §103 (a) as being

unpatentable over **Logue** U.S. Patent No. **6,330606**, in view of **Diefes et al.** (hereinafter

Diefes) U.S. Patent No. **5,534,875**.

8.   As to claim 1, **Logue** teaches the invention as claimed, including a service-portal

enabled automation control module (ACM) of a type, said ACM comprising:

     a first central processing unit (CPU) configured for processing automation control

signals (figure 3, element 55, figure 4, element 430 – the NIC 55);

     a first memory operably connected to said first CPU (figure 4, elements 420,

440);

     a second CPU operably connected to said first CPU (figure 3, element 50, figure

4, element 410);

     a second memory operably connected to said second CPU for storing a service-

portal database (figure 4, elements 461, 465, 425) containing a first set of service-

portal data specific to said ACM and one or more links to a second set of service-portal

data relating to the type of said ACM stored in a remote network server (figure 4,

elements 461, 465, 425, 480, col. 5, lines 5-col. 6, lines 67, col. 8, line 60-col. 9, line

52); and

     a first network interface operably connected to said second CPU (figures 3, 4,

element 54) and to a gateway configured for enabling said second CPU to communicate

with said remote network server (figures 1, 3, 4, col. 3, lines 40-50 – the modem pool 2

coupled through a router (which can be interpreted as gateway) interfaces between

proxy 405 and remote site administrator 480 (which can be read as remote network

server)).

However, Logue does not explicitly teach a first central processing unit (CPU)

configured for receiving telemetry data. Diefes teaches a central processing unit

configured for receiving telemetry data (col. 4, line 62-col. 5, line 15, col. 7, lines 30-48).

It would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention was made to combine the teachings of Logue and Diefes to include the

feature of CPU configured for receiving telemetry data because it would provide an

efficient communication system that reduces error from the received telemetry data and

electronic signal.

9.   As to claim 3, Logue teaches the invention as claimed, wherein said first

memory stores a configuration file containing specific information on said service-portal

enabled ACM (col. 5, lines 5-col. 6, lines 67, col. 7, lines 40-col. 8 lines 14).

10.   As to claim 4, Logue teaches the invention as claimed, wherein said second

CPU is configured for functioning as a network server (figures 3-4).

11.   As to claim 6, Logue teaches the invention as claimed, wherein said gateway is

configured for enabling said second CPU to communicate with said remote network

server via Internet (figures 1, 3, 4, col. 3, lines 40-50 – the modem pool 2 coupled

through a router (which can be interpreted as gateway) interfaces between proxy 405 and remote site administrator 480 (which can be read as remote network server)).

12.   As to claim 8, **Logue** teaches the invention as claimed, further comprising a user interface operably connected to said second CPU and configured for enabling a user to request said first set of service-portal data from said second memory and said second set of service-portal data from said remote network server (figures 1, 4, elements 461, 465, 425, 480, col. 5, lines 5-col. 6lines 67).

13.   As to claim 9, **Logue** teaches the invention as claimed, wherein said second memory is configured for loading at least one Web browser to open Web pages stored in said second memory (figures 2, 4, col. 3, lines 63-col. 4, lines 15, col. 5 lines 5-66).

14.   As to claim 10, **Logue** teaches the invention as claimed, further comprising: a third CPU operably connected to said gateway and configured for communicating with said second CPU and said remote network server via said gateway; and a third memory operably connected to said third CPU and configured for loading at least one Web browser to open Web pages stored in said second memory (figures 2, 4, col. 3, lines 63-col. 4, lines 15, col. 5 lines 5-66, col. 9, lines 55-col. 10 lines 29, col. 11, lines 25-27). WebTV client 1 having hardware/software for providing user with user interface to access network service, browse the web, access the Internet, it deems to be inherent

that WebTV client 1 have a CPU, a memory in order to process request, browse the

web and load the desired web page.

15.   Claims 2 and 5 are rejected under 35 U.S.C. §103 (a) as being unpatentable

over **Logue** U.S. Patent No. **6,330606**, in view of **Stephens, Jr.** U.S. Patent No.

6,557,026.

16.   As to claim 2, **Logue** does not explicitly teach the invention as claimed; however,

Stephens, Jr. teaches: a backplane interface operably connected to said first CPU; an

ACM backplane operably connected to said backplane interface; and an interface

module operably connected to said ACM backplane (figure 1A, col. 5, lines 38-col. 6

lines 67). It would have been obvious to one of ordinary skill in the Data Processing art

at the time of the invention was made to combine the teachings of **Logue and**

Stephens, Jr. to include backplane interface and interface module because it would

provide an efficient communications system that can monitor and control the standard

peripheral devices.

17.   As to claim 5, **Logue** teaches the invention as claimed, wherein said first network

interface supports one or more low-level protocols including TCP/IP protocol (figure 1-4,

col. 5, lines 17-30). It would have been obvious to one of ordinary skill in the art that

Logue teaches that client and server establish a connection so that they can send

message back and forth which is obvious to one skill in the art that the system using

different protocols including TCP/IP protocol because it would provide an efficient

system that for data transmission over networks.

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

a)   Ferreria et al. (USPN 6,857,009), discloses system and method for

network access without reconfiguration.

b)   Schneider (USPN 6,901,436), discloses system and method for

determining the availability of similar identifiers and registering these identifiers across

multiple naming systems.

c)   Anderson et al. (USPN 6,938,079), discloses system and method for

automatically configuring a client device.

d)   Theimer et al. (USPN 2003/0187812), discloses system and method for

managing data records on a computer network.

e)   Chan et al. (USPN 6,178,461), discloses system and method for cache-

based compaction technique for Internet browsing using similar objects in client cache

as reference objects.

19.   Any inquiry concerning this communication or earlier communications from the

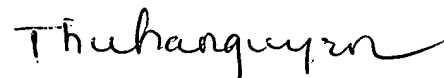examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-

3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ThuHa Nguyen
Patent Examiner

October 2, 2005